IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 10761 of 2004(F)

PETITIONER:

SIMON, AGED 52, S/O. POOVATHINGAL CHAKAPPAN, MAVELI NAGAR, KURIAHIRA P.O., THRISSUR -6.

BY ADV. SRI.G.SREEKUMAR(CHELUR)
SRI.RENJITH B.MARAR

RESPONDENTS:
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1. THE THRISSUR MUNICIPAL CORPORATION REPRESENTED BY ITS SECRETARY, M.O.ROAD, THRISSUR.

2. THE SECRETARY, THRISSUR MUNICIPAL CORPORATION, M.O.ROAD, THRISSUR.

BY ADV. SRI.K.B.MOHANDAS,SC,THRISSUR CORPORATION
SRI.LELLULAL T.G.THUNDATHIL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/08/2007, ALONG WITH WPC NO. 11640 OF 2004 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.10761/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE JUDGMENT IN OP. NO.700/01 DT. 1.10.03.

EXT.P2:- COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER AND OTEHRS BEFORE THE 2ND RESPONDENT DT. 17.2.04.

EXT.P3:- COPY OF THE AGENDA NOTICE OF THE 1ST RESPONDENT DT. 27.3.04.

/TRUE COPY/

P.A. TO JUDGE

tss

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).Nos.10761 & 11640 OF 2004

Dated this the 9th day of August, 2007

JUDGMENT

On 27.3.2006, an order was issued on I.A.No.4599/06 in W.P(C).11640/04 to the following effect.

> "Having heard the learned counsel for parties, all that is necessary for the time being is that the Corporation considers Ext.P4 and takes a decision thereon. Let that be done at the earliest, at any rate, within one month from the date of receipt of a copy of this order. Let the reasons for the decision shall also be stated by the Corporation, so that any person, if aggrieved by the said order, can challenge the same before the statutory authorities."

2. It is pointed out that the Corporation may require more time to take a final decision on Ext.P4, having regard to the various aspects. It is noticed that Ext.P2 in W.P(C).11640/04 is a comprehensive representation placed for consideration of all grievances.

Having regard to the totality of the facts and circumstances and having heard counsel, these writ petitions are disposed of directing that the aforequoted order shall be complied with and further that a final decision on Ext.P2 in W.P(C).11640/04 shall be taken considering the same on behalf of the petitioner in W.P (C).10761/04 also. A final decision on those matters shall be taken after affording the petitioners an opportunity of being heard and reasons shall be stated therein, if the decision is adverse to their interest. Such decision shall be taken as expeditiously as possible, at any rate, within an outer limit of three months from the date of receipt of a copy of this judgment.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.